

To: Schimmel, Brian[brschimmel@pa.gov]
From: Brown-Perry, Kinshasa
Sent: Thur 2/27/2014 3:12:34 PM
Subject: RE: West Virginia Hazardous Waste Scenario in Armstrong County?

Hi Brian,

I'm still working on it and will be in touch soon. Thanks for sending the additional information below.

Sasha Brown-Perry

Pennsylvania State & Congressional Liaison

U.S EPA Region III

1650 Arch St. (3CR00)

Philadelphia, PA 19103

Brown-Perry.Kinshasa@epa.gov

215-814-5404

From: Schimmel, Brian [mailto:brschimmel@pa.gov]
Sent: Thursday, February 27, 2014 9:43 AM
To: Brown-Perry, Kinshasa
Subject: FW: West Virginia Hazardous Waste Scenario in Armstrong County?

FYI – this is what I'm dealing with.

From: Rick [redacted] **Ex. 6 - Personal Privacy**
Sent: Thursday, February 27, 2014 9:22 AM
To: Schimmel, Brian
Cc: Holly Perry; Richard Farah; Abigail Major; Erica Godsey; Pittman, Joe; Pyle, Jeffrey; Don White; PA Governor's Office
Subject: Re: West Virginia Hazardous Waste Scenario in Armstrong County?

Brian, hello, I was wondering if you have found anything out?

Also I was past the derailment site Tuesday and 3 tankers were spewing white smoke. Just wondering.

If you are the wrong person to ask, would you direct my questions there and copy me please?

Regards

Ex. 6 - Personal Privacy

cell: Ex. 6 - Personal Privacy
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CREATE

From: Ex. 6 - Personal Privacy
To: "Schimmel, Brian" <brschimmel@pa.gov>
Cc: Holly Perry <Hperry@pahousegop.com>; Richard Farah <Rfarah@pahousegop.com>; Abigail Major <Amajor@pahousegop.com>; Erica Godsey <Egodsey@pahousegop.com>; "Pittman, Joe" <jpittman@pasen.gov>; "Pyle, Jeffrey" <jpyle@pahousegop.com>; Don White <dwhite@pasen.gov>; Gov Tom Corbett <Governor@pa.gov>
Sent: Friday, February 21, 2014 9:25 AM
Subject: Re: West Virginia Hazardous Waste Scenario in Armstrong County?

Thanks for the information,

Brian hello, I do have a couple more questions:

1. Do you have the address of the Dutch Run Coal Facility?
2. Is 4-Methylcyclohexanemethanol (MCHM) considered a Hazardous material?

Seems the local people in West Virginia had a hard time coming up with the correct response as there was some issues with know how to handle the chemical.

3. Does PA have a super fund that is paid in by companies as a pool for possible spill coverage such as the MUSTFA (Michigan Underground Storage Tank Financial Assistance Fund)?

Regards

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CREATE

From: "Pittman, Joe" <jpittman@pasen.gov>
To: Ex. 6 - Personal Privacy "Pyle, Jeffrey" <jpyle@pahousegop.com>
Cc: Frony Perry <fperry@pahousegop.com>; Richard Farah <Rfarah@pahousegop.com>; Abigail Major <Amajor@pahousegop.com>; Erica Godsey <Egodsey@pahousegop.com>; "Schimmel, Brian" <brschimmel@pa.gov>
Sent: Wednesday, February 19, 2014 9:35 AM
Subject: RE: West Virginia Hazardous Waste Scenario in Armstrong County?

Mr. Ex. 6 - Personal Privacy

Very interesting, who answered my questions from DEP??? and other questions below ??? Brian Schimmel

1. Might we ask WHERE in Armstrong County these dangerous chemicals are being stored? Dutch Run Coal facility in Kittanning, PA. And It's being used, not stored. The owner of Rosebud purchased Freedom Industries because they use this chemical in their operations. Had they not gotten it from WV, it would have come from somewhere else.

2. Who might we ask about the oversight of the storage of this, possibly toxic chemical near our water supplies? Secondary containment in PA is required to hold 110% of what's stored in initial containment on site. In PA you have to register tanks annually and have certified inspections annually. WV was/is devoid of storage tank regulations. There are no inspection requirements in WV, and no spill reporting requirements, meaning the company did not have to notify the WV DEP about the spill when it happened whereas if there's a spill in PA it's a requirement to immediately notify DEP.

3. Who is prepared to answer the call when these chemicals are spilled? Armstrong County EMA, PADEP Emergency Management, PEMA, various environmental services contractors

4. Where on line can we find the procedures for the handling of such dangerous chemicals and who in Armstrong county is responsible for answering to a spill of such dangerous chemicals?
<http://www.pacode.com/secure/data/025/chapter245/chap245toc.html> The responsible party is responsible. See above.

5. Who will pay for any possible costs of replacing good potable water in Armstrong county since the company in West Virginia went bankrupt 2 days after that spill and left FEMA, the State and volunteers holding the bag for the cost? The responsible party. Should Rosebud's operation fail in Dutch Run, they would be responsible.

6. Is there a Bond, like for road repair, required for such dangerous water contaminants? If so, how much and where is it located?

PA Code § 245.704. General requirements.

...

(b) An owner or operator of an underground storage tank shall have sufficient financial resources available to continuously meet the USTIF deductibles for both corrective action and third party liability as determined in accordance with § 245.707 (relating to coverage amounts for financial responsibility). The deductible coverage must be in a method required under section 701(b) of the act (35 P. S. § 6021.701(b)) including a guarantee, surety bond, qualification as a self-insurer, insurance or risk retention coverage, letter of credit, indemnity contract, trust fund, stand by trust fund, or other method approved or deemed satisfactory by the Department.

From: **Ex. 6 - Personal Privacy**

Sent: Wednesday, February 19, 2014 1:02 AM

To: Pyle, Jeffrey

Cc: Pittman, Joe; Holly Perry; Richard Farah; Abigail Major; Erica Godsey
Subject: Re: West Virginia Hazardous Waste Scenario in Armstrong County?

cell: [Ex. 6 - Personal Privacy]

Regards

[Ex. 6 - Personal Privacy]

cell: [Ex. 6 - Personal Privacy]
[Ex. 6 - Personal Privacy]@yahoo.com

CREATE

From: Jeff Pyle <Jpyle@pahousegop.com>
To: [Ex. 6 - Personal Privacy]
Cc: Joe Pittman <jpittman@pasen.gov>; Holly Perry <Hperry@pahousegop.com>; Richard Farah <Rfarah@pahousegop.com>; Abigail Major <Amajor@pahousegop.com>; Erica Godsey <Egodsey@pahousegop.com>
Sent: Tuesday, February 18, 2014 10:08 PM
Subject: Re: West Virginia Hazardous Waste Scenario in Armstrong County?

Hi [Ex. 6 - Personal Privacy] I did not know they did not respond to you. They will be calling you tomorrow. At what number can you be reached?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: [Ex. 6 - Personal Privacy]

Sent: Tuesday, February 18, 2014 9:12 PM

To: Pittman, Joe

Reply To: [Ex. 6 - Personal Privacy]

Cc: Bowers, Marci; Jeff Pyle; Gov Tom Corbett; Don White; Deb Erdley

Subject: Re: West Virginia Hazardous Waste Scenario in Armstrong County?

Any response regarding my questions about the whereabouts of the hazardous chemicals in Armstrong County below? And other questions below?

Who might I be able to contact at the EPA(DEP) regarding this issue?

Signed a concerned citizen,

[Ex. 6 - Personal Privacy]

[Ex. 6 - Personal Privacy] 26

cell [Ex. 6 - Personal Privacy]

[Ex. 6 - Personal Privacy]

CREATE

From: "Pittman, Joe" <jpittman@pasen.gov>

To: [Ex. 6 - Personal Privacy]

Cc: "Bowers, Marci" <mbowers@pasen.gov>; "Pyle, Jeffrey" <jpyle@pahousegop.com>

Sent: Wednesday, February 12, 2014 9:34 AM

Subject: RE: West Virginia Hazardous Waste Scenario in Armstrong County?

Mr. [Ex. 6 - Personal Privacy]

I will forward your additional questions to DEP and ask that they respond. Thank you.

From: **Ex. 6 - Personal Privacy**

Sent: Tuesday, February 11, 2014 11:25 PM

To: Pittman, Joe; Bowers, Marci; Pyle, Jeffrey

Ex. 6 - Personal Privacy

Jo
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Very interesting, who answered my questions from DEP??? and other questions below ???

1. Might we ask WHERE in Armstrong County these dangerous chemicals are being stored?
2. Who might we ask about the over site of the storage of this, possibly toxic chemical near our water supplies?
3. Who is prepared to answer the call when these chemicals are spilled?
4. Where on line can we find the procedures for the handling of such dangerous chemicals and who in Armstrong county is responsible for answering to a spill of such dangerous chemicals?
5. Who will pay for any possible costs of replacing good potable water in Armstrong county since the company in West Virginia went bankrupt 2 days after that spill and left FEMA, the State and volunteers holding the bag for the cost?
6. Is there a Bond, like for road repair, required for such dangerous water contaminants? If so, how much and where is it located?

If anyone else has any questions about Armstrong County holding these dangerous chemicals (like how much money should be donated to our schools and emergency preparedness groups by the companies endangering our water supplies) please COPY ALL.....I am sure we and the Governor would be interested.

Regards

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